

**HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.2411 OF 2005.

Ramesh Ramchandra Sonawane. ...Applicant.

V/s.

Sr.Police Officer, Jaikheda Police
Station & Ors. ...Respondents.

Shri B.A.Chavan, i/b Jay & Co.for applicant.

Shri K.V.Saste, APP for respondent.

**CORAM: A.M.KHANWILKAR, J
DATE : APRIL 19, 2005**

P.C. :-

1. Heard the counsel for the parties.

2. Indeed the offence in question is serious offence. However, prima facie, I find substance in the argument canvassed on behalf of the applicant that the applicant is being framed by the local police as a counterblast to the direction issued by the Human Right Commission to investigate into the allegations made by the applicant against the local police officers. Those directions were issued on 16th February, 2004. All the complaints which are allegedly registered against the applicant are of recent origin, registered in the year 2005. In other words, prima facie, there is substance

in the grievance that the officers of the local police station have created record to frame the applicant in the alleged offences.

3. Indee, the learned APP has brought to my notice that 19 persons have complained of having parted with the cash amount varying from Rs.1,750/- to Rs.2,600/- to the applicant on the assurance given by the applicant that he will provide them accommodation under the Indira Awas Scheme. However, no material is forthcoming to show that the said persons were capable of parting with the said amount to the applicant. No such enquiry has been made so far.

4. It is further seen that the offences which are registered not only implicate the applicant but also the other family members namely two wives of the applicant. It is seen that the Lower Court has already granted anticipatory bail to the wives of the applicant. So far as, the applicant is concerned, in my opinion, it is necessary to extend protection to the applicant from arrest, in view of the background in which the applicant has raised issue before the Human Right Commission about the atrocity of the local police. Accordingly, the application is allowed on the following conditions.

(i) The applicant is granted anticipatory bail in connection with the C.R.Nos.13/2005, 15/2005 and 16/2005, registered with Jaikheda Police Station, Jaikheda, District-Nasik, on executing personal bond in the sum of Rs.10,000/- (Rs.Ten thousand only) with two local sureties in like amount.

(ii) The applicant shall not influence prosecution witnesses nor tamper with any prosecution evidence, in any manner, whatsoever.

(iii) The applicant shall report to the Investigating Officer, as and when called upon and co-operate for the purpose of investigation.

(iv) The applicant shall not leave the jurisdiction of Jaikheda Police Station without prior intimation to the police officer of the concerned police Station.

(v) This order shall enure in favour of the applicant till filing of the chargesheet.